

We know these communities. Washington doesn't.

It's time for President Clinton to allow the states to give it our best shot. We couldn't do worse than Washington. I know we'll do much, much better.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the Senator from Wisconsin [Mr. FEINGOLD] to the Commission on Security and Cooperation in Europe.

Mr. ROTH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COCHRAN). Without objection, it is so ordered.

LOW-INCOME ENERGY ASSISTANCE

Mr. WELLSTONE. Mr. President, yesterday I came out on the floor to speak about the energy assistance program. I need not repeat most of what I said, yesterday. But I thought I would try to be brief and summarize.

Mr. President, I am a Senator from a cold-weather State, Minnesota. By cold-degree days, we have the third coldest days in the country behind Alaska and North Dakota. Last year in my State about 330,000 people received some energy assistance so that they would not go cold. Many of them were elderly households, many of them were households with children, and many of them were households with minimum wage workers with an average rent of around \$350. Let us think about this as a kind of cold weather lifeline program, almost more of a survival supplement than an income supplement, designed to ensure that people will not go cold.

Mr. President, right now as I speak on the floor of the U.S. Senate, in my State of Minnesota, without exaggeration I can say that there are some people with no heat with the temperatures around zero. Last weekend when Sheila and I were home the temperature was about 50 below wind chill. There are people in the United States of America, in my State, and in other cold-weather States as well, I am sure, Mr. President, who are now living in one room. That is all they are able to heat—one room. There are some people with no oil or propane in their tank. Mr. President, there are some Minnesotans who are trying to heat their home by just turning on their oven. There are also people in my State—I am joined by my colleague from Iowa—who right now are not able to purchase the food they need or the prescription drugs they

need because of the money they are now spending for energy maintenance to make sure they do not go cold, because they have such limited means.

In the United States of America right now, in Minnesota, Iowa, and other cold-weather States, there are people who are cold, and I am positive, I am positive as I speak here today, that somebody will freeze to death and then we will take action. It will be too late.

Mr. President, this is the problem. Last year, by the end of December, about \$1 billion had been allocated out to our States for assistance. This is not a 1-year program. It does not do any good to tell people they will be able to receive some assistance so they do not get cold in June or July. Time is not neutral. The total cost of the energy assistance program nationally was less than one B-2 bomber. It was \$1.3 billion last year, \$900 million right now. This is the problem. It was eliminated on the House side. But Senator DASCHLE—and, I might add, other Senators as well, Republicans included, Senator SPECTER being one really good example, and I know Senator HATFIELD cares fiercely about this, and I could list others as well; Senator SMITH from New Hampshire—many people, many from the cold-weather States. We know now what has happened. It has become a moral issue.

Last year by the end of December, about \$1 billion had gone out, and I think this year about \$230 million has gone out nationwide. In my State of Minnesota, by this time last year, about \$25 million—right now, \$9 million. We have long waiting lists of people who have no assistance or people who have received only \$100 when last year they received \$350. What is going to happen to them next month or the month afterwards?

So, Mr. President, I will yield in just a moment for a question from my colleague. I just want to make it clear where we are right now. It is extremely important that if there is a continuing resolution—and there should be because there should not be any Government shutdown—it is extremely important that we have the language to accelerate the allocation of this money.

If you did just 75 percent of last year, I say to my colleague, that would be over \$900 million. We must get this out to our States now so people do not freeze to death. There cannot be one Senator or Representative, regardless of party, that could really disagree with this proposition. If this does not happen, Mr. President, with the wording of the continuing resolution at the end of this week, it has to happen at the beginning of next week. And if there is no continuing resolution, I would say to the administration you have the authority because we already have the money. This is forward funded. We already have the money. You have the authority to release that money.

However we get the job done, for God's sake, let us get the job done. That is really what I am saying.

I feel very strongly about any issue, not because I believe this is the only issue that our country is confronted with, not because I do not fully appreciate the overall budget debate and the difficult choices that all of us have to make, not because I do not care fiercely about what will happen in Bosnia and for the safety of our soldiers and that they will be able to make a difference there. Sometimes, in all these statistics and all this alphabet soup, OMB, CBO, baseline budget—you are familiar with what I am talking about—it is just disconnected from the reality of people's lives.

This is such a time. I am a Senator from a cold-weather State, Minnesota, and I will do whatever I need to do as a Senator to get the funding out to my State, and for that matter other cold-weather States, so that people, be they seniors, be they children, be they individuals with disabilities, or be they low-wage families, are able to get some assistance so they can heat their homes now.

Right now, too many of our citizens are cold. Too many of our citizens are without heat. This is wrong. This is a moral issue. We must do something about this, and it is within our power to do something about this today. We have to take action.

I know the Senator from Iowa had a question.

Mr. HARKIN. I just wondered if the Senator will yield.

First of all, Mr. President, I thank the Senator from Minnesota for being a leader on this issue. Both the other day when he took the floor and he spoke about it and again today—I did not catch all of the Senator's remarks; I was on my way over to the floor, but I wanted to just ask the Senator if he was aware of all of the ramifications in the States that are taking place right now. I know the Senator spoke very eloquently about what is happening in Minnesota and the fact that this money is not getting out. But there are some really kind of disingenuous things going on out there. If the Senator will bear with me, I will explain it and then I will follow it with a question.

I am told that in some States in the Midwest, because of the fact that they do not have the necessary funds for the heating program, the Low-Income Heating Energy Assistance Program, they put the word out that they have just enough money to meet emergency situations, that it is being interpreted in some States as saying an emergency is if an elderly person has been notified by the utility that they are cutting off the utilities. That is the emergency. If you get your utility cut off, then you get it.

I ask the Senator, take a typical elderly person in Minnesota or Iowa, from the Midwest, it is colder than the dickens. They are living in a small town of 900 people, 1,000 people like the small towns where I come from. They are living in a small house—usually it

is women—living by themselves, on Social Security; their total income is 400 or 500 bucks a month.

I wish to point out that 80 percent, 80 percent of this money in the Low-Income Heating Energy Assistance Program, 80 percent of the money goes to people with less than \$8,000 a year income. I ask the Senator to take an elderly person—as I said, many times an elderly woman—living by themselves in a small house in a small town. The heating bill comes in. They know they have to pay it. Would they just say, well, I am not going to pay it because then it will be a crisis and then I will get the money? What would that elderly person do?

Mr. WELLSTONE. Mr. President, I say to my colleague—and by the way, I would like to thank the Chair. Quite often we are speaking on the floor, and the Presiding Officer is writing letters and not paying attention. He comes from a more warm-weather State. I thank him for his courtesy.

I would say to my colleague from Iowa, we are getting all of these calls from elderly people, and I will tell you exactly what they do, and then I would like to compare notes with the Senator and get his reaction.

What will happen, under that definition, it will not happen that elderly person will not pay his or her bill, but they will not purchase the prescription drugs they will need that the doctor prescribed or they will simply have less money for food. It is that simple. And by the way, during the winter is not a time when you want to have less income to be able to have a decent diet.

That is exactly what is going on, I say to my colleague.

Mr. HARKIN. I think the Senator is correct. I think that is what is going to happen out there. So you may say, well, gee, you know, they are not in crisis circumstances; they are getting their fuel, they are paying their bills, but what is happening on the other side of the ledger? This is a crisis situation in my State, and I know it is in Minnesota.

Mr. WELLSTONE. It is.

Mr. HARKIN. I share the Senator's concern about this. We do have the opportunity, as the Senator pointed out. Now, again, for my benefit and for others, would the Senator explain it. We forward funded this, \$1.3 billion.

Obviously that money has already been appropriated.

Mr. WELLSTONE. That is correct.

Mr. HARKIN. I was on the Appropriations Committee. That money has been appropriated. So why is it not going out? If we already appropriated the money, why is it not going out?

Mr. WELLSTONE. Well, Mr. President, I would say to my colleague that what has happened is by the terms of these continuing resolutions, the money cannot be appropriated right now by the administration. And that is what I was trying to explain earlier.

Right now we have a couple of different scenarios that are possible.

First, I want to say to my colleague—he may or may not realize this—in the first draft of the continuing resolution from the House of Representatives, zero came out for LIHEAP for this year. There was actually language that said that no LIHEAP money could be spent, no energy assistance money could be spent, until the Labor-Health and Human Services appropriations bill of this year was passed. This would have effectively guaranteed that there would be no money going out.

We saw that and we said that if that came to the floor, we would amend it. And it was ultimately amended. With the support of the White House and others, that was dropped. But my understanding, I say to my colleague, is right now by the terms of the continuing resolution that we are under, that money cannot be spent. The only money that could be spent has been spent—about \$230 million.

One of two things has to happen. If we get a continuing resolution, we have to have language which essentially says that we have to accelerate the allocation of this money which exists. Even if it was 75 percent of last year's level, that would be over \$900 million, which we need to get out. But if there is no continuing resolution, I say to my colleague, the administration then has the legal authority—and we were in touch with legal counsel at OMB to confirm this—they could release the money.

Mr. HARKIN. Let me get this clear from the Senator. If a continuing resolution—that expires today. I do not know what time it expires.

Mr. WELLSTONE. Midnight.

Mr. HARKIN. Midnight tonight. If there is no continuing resolution, then tomorrow the administration could release the remainder of the money that was appropriated last year for this program?

Mr. WELLSTONE. That is absolutely correct. And we have urged the administration to do that, absolutely.

Mr. HARKIN. I want to join the Senator in making that request. I do not know if there will be a continuing resolution today or not. Who knows. I know they are negotiating right now.

Let me further ask the Senator, if a continuing resolution comes to the floor today, let us say for a short period of time, a 3-day—I heard some talk about a 3-day, 4-day continuing resolution.

Mr. WELLSTONE. Right.

Mr. HARKIN. Is that amendable? Could an amendment be offered on that?

Mr. WELLSTONE. Mr. President, I would say to my colleague and good friend from Iowa, absolutely. Here is what we do not know. My hope is that since this continuing resolution would originate from the House, that on the House side they would have put into the resolution the language, the authority, for us to go forward with accelerated funding right now.

There are many Representatives, Democrats and Republicans, who are

very uncomfortable with where we are at in this Nation. Thank God they are. There are people who feel—they are saying, "Look. We don't just want to be here while people go cold." All right.

So my hope would be that you would have a resolution that would come over here with a formula that would allocate the funds that we need to get out to the States so people do not go cold. People are cold now.

If that does not happen, then certainly we can amend that. That is one possibility, we can amend that, and we would insert wording that would make sure that we would get the allocation of funding out. We could do that. I say to my colleague that that is a possibility.

Now, if it was for 2 days, over the weekend, then another possibility—though we have to see—would be, depending upon commitments that are made, that it would be done in the beginning of next week.

But we have to get it done. Right now I feel very strongly we have to get it done today. We have to do everything we can to make sure that we get this funding out to families in our States so people do not go cold through a continuing resolution today or through a continuing resolution Monday or through the administration, if there is no continuing resolution, releasing the funds. It has to happen.

It makes very little difference to the people out in our States who are cold, who are really frightened, many of whom are desperate, what way the funding gets to them and what way they get the energy assistance. We can do it a number of different ways. But I have gone on record all week saying—I believe we have some amendments that we drafted to this continuing resolution. I certainly know my colleague from Iowa will be with me. If that is what we need to do, that is what we will do. If we can do it another way, we will do it another way.

Mr. HARKIN. I thank the Senator for bringing this out and answering those questions. And I look forward to working with him. The Senator is absolutely right, Mr. President, we have a crisis situation out there. We hear all the talk about shutting down the Government and the impact this would have on people who work and, with the Christmas season coming up, what it might mean for their families. And we ought to be cognizant of that. I hope there is not a shutdown of the Government. I hope that does not happen.

But for many of these elderly people—and we are talking about elderly people on Social Security, making \$400 a month, \$500, a lot of times living by themselves—when you do not get that Low-Income Heating Energy Assistance Program, that is more than the equivalent of a Government person losing their job for a few days. It could, indeed, be a very bleak Christmas for a lot of these people out there, too.

So I am sorry this has gone on this long. I guess we hoped against hope

there would be warm weather. But we have had some really bad weather, really cold.

Mr. WELLSTONE. I say to my colleague, Mr. President, that the other problem that my chief legislative analyst, Colin McGinnis, reminded me of is it takes about 10 days or so for OMB and HHS to run the computer formulas, cut the checks, and get the money out to the States. We have a long waiting list in Minnesota already who would be served by that funding.

So we really are again—time is not neutral. For God's sake, I would say to every single one of my colleagues, Democrat, Republican, let us do this before Hanukkah. Hanukkah is Sunday night. I am Jewish. Hanukkah is Sunday night. Then we have Christmas. Let us do this before Hanukkah. Let us do this before Christmas. Let us please make a commitment as Senators to make sure that people at least do not go cold in America. This is wrong. We can do much better.

There is no reason in the world for us not to be able to reach out. I mean, if you want to talk about family values, I think the most important family value there is to reach out with a helping hand. I think everybody agrees with that. So we have to get this job done.

I thank my colleague. I thank my colleague from Iowa.

Mr. President, I am just going to finish up. This just is one example. I have many examples from Minnesota, but this is an example of what can happen when people are without heat, from right here in the District of Columbia. Three years ago around this time, a fire burned down a small apartment building in the Mount Pleasant region of the District of Columbia, burning to death two little girls, Amber and Asia Spencer, ages 6 and 5. The girls were killed by a fire when one of the candles that was used to heat the apartment fell over. The electricity had been turned off 2 months earlier when the girl's grandmother, their guardian, could not afford to pay the heating bill.

It is my understanding that every winter, children across the country are killed or injured by fires caused by desperate attempts to keep warm—to keep warm.

I have said to my leader, Senator DASCHLE, I have said to the Republicans—again, I know Senator SMITH from New Hampshire, another cold weather State, said he really wants to be on the floor, wants to fight hard for this; Senator ABRAHAM has been very committed to this; Senator SPECTER has been very committed to this; Senator JEFFORDS and any number of Republicans on the other side of the aisle.

I do not view this as a partisan issue. I think it was a huge mistake for the House to eliminate this. I have been fighting for this for 6 months because I know it is so important to people.

But I think right now the issue is not to have a fight. That is not the point. The point is to bring people together

and to at least make the small change. We already have the money. It is already there. All we have to do is make sure that in a continuing resolution, if the Government is not shut down—and I hope it will not be shut down; I do not think it should be—to make sure in the continuing resolution that we are able to allocate the funds out to the States.

If we just do it on the basis of 75 percent of last year, Mr. President, so that now as the winter weather is upon us in our States, then we could get adequate short-term funds out fast. It can be allocated out to the communities and we can protect people. We should do that.

I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. WELLSTONE. Mr. President, will the Senator yield for a moment?

Mr. LEAHY. Yes.

Mr. WELLSTONE. Mr. President, I want to make it clear, I mentioned the other day the work of the Senator from Vermont. He has spoken on this several times. I want to thank the Senator and Senator JEFFORDS as well. I believe that those of us from cold-weather States know what this means in human terms. We know from the phone calls and the people with whom we visit.

I thank the Chair and the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

LIHEAP

Mr. LEAHY. Mr. President, I spoke, as did the Senator from Minnesota, on the issue of LIHEAP yesterday. I commend him for what he has said. This is an issue that is joined certainly in the northern tier States with Republicans and Democrats alike in the Senate.

We should restore these LIHEAP funds. Frankly, I strongly urge our colleagues and leadership in the other body, if need be, to simply pass a LIHEAP appropriations so we can take it up, pass it here and send it down. We would not have this issue were all the appropriations bills now passed. We can pass that one, if need be.

This is a matter of urgency. It is not an answer to say we will have the money in June of next year. It was 8 or 9 degrees below zero at my home in Vermont 2 days ago. It was way below zero last night. We had about a foot of snow in the last few days. The good news, of course, is nothing slows down with only a foot of snow in Vermont. The bad news is that the people who are without money are now faced with the question of whether they will eat or heat. Many of them are elderly. The majority of them are disabled.

There is no question we should try to get this through. It will be colder next month. It always is in January. Last year, we had about a week and a half that did not go above zero. During that time, it hit 25 to 35 degrees below zero, depending where in the State it was.

If you are living in a residence that needs the help of LIHEAP or weather-

ization for heating, that cold goes through pretty quickly. This is not a case of being uncomfortable. This is a case where people die. People die in their own homes. They die in their own homes from the cold. They die in their own homes sometimes when efforts are made to heat. They die in their own homes when they have actually been pulling boards out of the floor or furniture to burn to keep warm, because they know exposure to that weather for just a matter of, sometimes, minutes could bring about hypothermia and death.

Mr. President, I do not see other Members seeking the floor, so I will talk about another issue.

DEFENSE AUTHORIZATION BILL— ANTIPERSONNEL LANDMINES

Mr. LEAHY. Mr. President, I understand this afternoon at some point, we will have a vote on whether to proceed to the conference report on Department of Defense authorization. I am strongly opposed to several provisions in that bill. I will not ask the clerks to read the bill in full when it comes up, as I could. It is my way of saying "Merry Christmas" to them, I suppose, and to the rest of the staff. But I will express very strong concerns about it and, of course, will ask for a recorded vote on the issue of proceeding.

I do not want to hold up the issue, though, of course and as soon as it comes over here—I see the distinguished chairman, my good friend from South Carolina on the floor—I would not want to hold him up.

Mr. LEAHY. There is one issue that I intend to talk about at considerable length. This body voted by better than a 2 to 1 margin, nearly 3 to 1 margin, to put some limitation on antipersonnel landmines.

For some reason a provision that was not even considered by either the House or the Senate on antipersonnel landmines ended up in the Defense authorization bill, which would have the effect of undermining my amendment. It is an absolute disregard and repudiation of the intent of the Senate.

At a time when every member of the military is talking about the danger to our men and women in Bosnia from landmines, at a time when the President of the United States talks about the potential casualties from landmines, at a time when every press report talks about the potential of landmine casualties in Bosnia, at a time when virtually every Member of this body and the other body are concerned about the potential American casualties from landmines, we let somebody from the Pentagon write in a provision in the DOD bill, a provision that was never voted on by the House, never voted on by the Senate, never considered by either body suddenly showed up in the conference report. A provision that would ensure that the plague of landmines continues unabated.